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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,957	12/20/2001	David Alan Peters	13DV13606	8995

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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/033,957

Applicant(s)

PETERS ET AL.

Examiner

Neveen Abel-Jalil

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Request for reconsideration filed on July 30, 2004 has been received and entered.

Claims 1-13 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith et al. (U.S. Patent No. 5,931,877).

A to claims 1, and 2, Smith et al. discloses a system, comprising:

- a) an aircraft (See column 2, lines 24-34);
- b) a first maintenance manual for the aircraft, stored in computer-readable form aboard the aircraft (See column 2, lines 37-67); and
- c) means for displaying the maintenance manual to a human (See column 3, lines 50-64, also see column 1, lines 20-28, prior art).

As to claim 3, Smith et al. discloses further comprising:

- d) a ground-based computer (See column 4, lines 31-67, and see column 5, lines 1-15);
- and

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e) a second maintenance manual for the aircraft, stored in computer-readable form in the ground-based computer (See column 4, lines 15-30).

As to claim 4, Smith et al. discloses further comprising:

f) means for causing changes made in the second maintenance manual to be replicated in the first maintenance manual (See column 10, lines 5-17, also see column 5, lines 44-67, and see column 6, lines 1-36, and see column 6, lines 60-67).

As to claim 5, Smith et al. discloses a system, comprising:

- a) an aircraft (See column 2, lines 24-34);
- b) computer-readable memory, carried by the aircraft, which stores content containing at least one document in the following group (See column 2, lines 37-67);
 - i) maintenance manual for the aircraft (See column 6, lines 38-67, also see column 4, lines 15-30);
 - ii) maintenance log of the aircraft (See column 6, lines 38-67, also see column 4, lines 15-30);
 - iii) configuration log of the aircraft (See column 10, lines 1-18); and
- c) means for enabling a crew member of the aircraft to read the content (See column 3, lines 50-64, also see column 1, lines 20-28, prior art).

As to claim 6, Smith et al. discloses wherein the group further contains iv) pilot logbooks (See column 4, lines 31-58).

As to claim 7, Smith et al. discloses wherein the group further contains v) taskcards (See column 6, lines 13-59, also see column 3, lines 24-64).

As to claim 8, Smith et al. discloses further comprising:

d) means for receiving data from a remote source, and modifying the content, using the data (See column 10, lines 5-17, also see column 5, lines 44-67, and see column 6, lines 1-36, and see column 6, lines 60-67).

As to claim 9, Smith et al. discloses further comprising:

d) means for updating the content, in response to messages received from an external source (See column 10, lines 5-17, also see column 5, lines 44-67, and see column 6, lines 1-36).

As to claim 10, Smith et al. discloses a method, comprising:

a) onboard an aircraft, maintaining a maintenance manual for the aircraft in computer-readable form (See column 6, lines 38-67, also see column 4, lines 15-30, also see column 7, lines 23-43); and

b) at intervals, modifying the manual (See column 6, lines 60-67).

As to claim 11, Smith et al. discloses further comprising:

c) onboard the aircraft, maintaining a maintenance log of the aircraft in computer-readable form (See column 6, lines 38-67, also see column 4, lines 15-30).

As to claim 12, Smith et al. discloses further comprising:

d) onboard the aircraft, maintaining a configuration log of the aircraft, in computer-readable form (See column 6, lines 1-27).

As to claim 13, Smith et al. discloses a method, comprising the following steps:

a) maintaining, onboard an aircraft, a first set of documents in computer-readable form, said first set of documents comprising one or more of the following (See column 7, lines 23-67):

- i) a maintenance manual for the aircraft (See column 6, lines 38-67);
- ii) a maintenance log of the aircraft (See column 6, lines 38-67);
- iii) a configuration log of the aircraft (See column 3, lines 50-67, and see column 4, lines 1-30, also see column 6, lines 1-12); and
- iv) pilot logbooks (See column 4, lines 31-58);

b) causing alterations to occur in the first set (See column 2, lines 43-67);

c) maintaining, at an earth-based site, a second set of documents in computer-readable form, said second set of documents comprising one or more of the following (See column 4, lines 31-67, and see column 5, lines 1-15):

- i) a maintenance manual for the aircraft (See column 5, lines 54-67, and see column 6, lines 1-41);
- ii) a maintenance log of the aircraft (See column 6, lines 1-59);

- iii) a configuration log of the aircraft (See column 10, lines 1-18); and
- iv) pilot logbooks (See column 4, lines 31-48, wherein “pilot logbooks” reads on “pilot debrief”); and
- d) replicating the alterations into the second set of documents (See column 6, lines 60-67, wherein “replicating the alterations” reads on “updated automatically”).

Response to Arguments

4. Applicant's arguments filed on July 30, 2004 have been fully considered but they are not persuasive.

In response to applicant's argument that Smith et al. is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Smith et al. discloses storing data in a database related to an aircraft specifically a central data warehouse for electronically storing technical and historical equipment data (See Smith et al. column 10, lines 24-35).

In response to applicant's argument that “Smith et al. reference is directed to an entirely different invention that that covered by the application” is acknowledged but it is not deemed to be persuasive.

The Examiner respectfully points to the fact that Smith et al. stores all the aircraft related information in a computer and more specifically in a database

Now Smith et al. specifically states on column 6, lines 2-27 that library database; maintenance database; and technical database all are storage means for different type of data.

It is well known in the database art that any type of data can be stored and used from a database. Smith et al. also discloses in column 2, lines 58-67 that the maintenance database 20 also logs and tracks all maintenance actions, thereby eliminating the need for paper forms to document maintenance actions. And more specially that the system comprises a central data storage warehouse. The Examiner interprets the claims in the broadest reasonable way to merely read on a storing data related to aircraft maintenance, which maintains is clearly disclosed by the Smith et al. reference. Whether Smith et al. refers or uses his storage system as “maintenance” system, or “document” system as disclosed here.

The Examiner would like to refer to current application independent claim 5, wherein “log” is disclosed which is anticipated by the reference Smith et al. column 6, lines 60-66. It is not clear how keeping a log of maintenance documents as disclosed by Smith et al. is any different from the claimed language of “maintenance log of the aircraft”.

The Examiner would like to refer to current application independent claim 10, wherein “maintaining” is disclosed which is anticipated by the reference Smith et al. column 6, lined 13-36. Any and all other technically related data whether they are documents or drawings are stored in the database and then maintained in real-time regardless of the type of data. Regardless of the

type of data being stored in a computer or database, it is well known in the database art that all type of data can be stored and retrieved from a database residing in a computer.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 703-305-8114. The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
December 1, 2004



SAM RIMELL
PRIMARY EXAMINER